

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS**

In re:)	Chapter 11
)	
Griddy Energy LLC,)	Case No. 21-30923 (MI)
)	
Debtor.)	

CERTIFICATE OF SERVICE

I, Nathaniel Repko, depose and say that I am employed by Stretto, the claims and noticing agent for the Debtor in the above-captioned case.

On July 2, 2021, at my direction and under my supervision, employees of Stretto caused the following documents to be served via first-class mail on the service list attached hereto as **Exhibit A**, and via electronic mail on the service list attached hereto as **Exhibit B**:

- **Declaration of Angela Tsai on Behalf of Stretto Regarding Solicitation of Votes and Tabulation of Ballots Accepting and Rejecting Modified Third Amended Plan of Liquidation for Griddy Energy LLC Under Chapter 11 of the Bankruptcy Code** (Docket No. 363)
- **Expert Report and Declaration of Tony W. Spencer** (Docket No. 367)
- **Debtor's Emergency Motion to File Under Seal Certain Customer Data Contained in Expert Report and Declaration of Tony W. Spencer** (Docket No. 368)
- **Amended Certificate of No Objection to Debtor's Motion for Order (A) Approving and Authorizing Debtor to Enter into Settlement Agreement With the State of Texas and (B) Granting Related Relief** (Docket No. 369)
- **Declaration of Roop Bhullar in Support of (A) Approval of the Adequacy of Debtor's Disclosure Statement on a Final Basis and (B) Confirmation of the Modified Third Amended Plan of Liquidation for Griddy Energy LLC Under Chapter 11 of the Bankruptcy Code** (Docket No. 370)
- **Notice of Filing of Proposed Findings of Fact, Conclusions of Law and Order: (I) Approving Disclosure Statement; (II) Confirming Modified Third Amended Plan of Liquidation for Griddy Energy LLC Under Chapter 11 of the Bankruptcy Code; and (III) Granting Related Relief** (Docket No. 376)
- **Notice of Hearing on Debtor's Emergency Motion to File Under Seal Certain Customer Data Contained in Expert Report and Declaration of Tony W. Spencer** (Docket No. 377)

- **Debtor's Memorandum of Law in Support of: (A) Approval of the Adequacy of Debtor's Disclosure Statement on a Final Basis and (B) Confirmation of the Modified Third Amended Plan of Liquidation for Griddy Energy LLC Under Chapter 11 of the Bankruptcy Code (Docket No. 378)**

Furthermore, on July 2, 2021, at my direction and under my supervision, employees of Stretto caused the following document to be served via first-class mail on the service list attached hereto as **Exhibit A**:

- **The Debtor's Exhibit and Witness List for July 7, 2021 Confirmation Hearing (attached hereto as **Exhibit C**)**

Furthermore, on July 2, 2021, at my direction and under my supervision, employees of Stretto caused the following document to be served via electronic mail on the service list attached hereto as **Exhibit B**:

- **The Debtor's Exhibit and Witness List for July 7, 2021 Confirmation Hearing (Docket No. 374)**

Dated: July 6, 2021

/s/ Nathaniel Repko

Nathaniel Repko

STRETTO

7 Times Square, 16th Floor

New York, NY 10036

855.478.2725

Email: TeamGriddy@Stretto.com

Exhibit A



Exhibit A
Served Via First-Class Mail

Name	Attention	Address 1	Address 2	Address 3	City	State	Zip	Country
AEP Texas Inc.	Attn: Mark Hunt	910 Energy Drive			Abilene	TX	79602-7945	
Alpha Employment Solutions	Attn: Penny Vita-Finzi	580 Woodland Ave			Burlington	ON	L7R 2S5	Canada
CCH Incorporated	c/o Wolters Kluwer	Attn: CEO or General Counsel	PO Box 4307		Carol Stream	IL	60197	
CenterPoint Energy, Inc	Attn: Kevin Kulhanek; Jewel Smith	1111 Louisiana Street			Houston	TX	77002	
Charles Huppert, District Court of Harris County, Texas Case No. 2021-12101; and Thomas Clark, District Court of Harris County, Texas Case No.: 2021-12017	c/o Burnett Law Firm	Attn: Riley L. Burnett, Jr and Karen H. Beyea-Schroeder	3737 Buffalo Speedway	Suite 1850	Houston	TX	77098	
Customer #32790	c/o Sheehy, Lovelace & Mayfield	Attn: Jeffrey R. Cox	510 N. Valley Mills Dr., Suite 500		Waco	TX	76710	
Electric Reliability Council of Texas (ERCOT)	c/o Munsch Hardt Kopf & Harr, P.C.	Attn: Kevin M. Lippman and Deborah M. Perry	500 N. Akard Street, Suite 3800		Dallas	TX	75201-6659	
Electric Reliability Council of Texas (ERCOT)	Attn: Phil Mincemoyer	7620 Metro Center Drive			Austin	TX	78744	
Griddy Technologies LLC, Griddy Holdings LLC, Griddy VI Series A Holdings LLC and Griddy Pro LLC	c/o Akin Gump Strauss Hauer & Feld LLC	Attn: Marty L. Brimmage, Jr. & Patrick G. O'Brien	2300 N. Field St.	Suite 1800	Dallas	TX	75201	
Griddy Technologies LLC, Griddy Holdings LLC, Griddy VI Series A Holdings LLC and Griddy Pro LLC	c/o Akin Gump Strauss Hauer & Feld LLC	Attn: Philip C. Dublin	One Bryant Park		New York	NY	10036-6745	
Harris County	c/o Linebarger Goggan Blair & Sampson, LLP	Attn: Tara L. Grundemeier	PO Box 3064		Houston	TX	77253-3064	
Internal Revenue Service	Attn: Centralized Insolvency Operation	2970 Market Street			Philadelphia	PA	19104-5016	
Internal Revenue Service	Houston Division	1919 Smith Street			Houston	TX	77002	
Internal Revenue Service	Attn: Centralized Insolvency Operation	PO Box 7346			Philadelphia	PA	19101-7346	
Internal Revenue Service		Department of Treasury			Ogden	UT	84201-0045	
Lisa Khoury, et al.	c/o Potts Law Firm, LLP	Attn: Derek H. Potts, J. Ryan Fowler, Batami Baskin	3737 Buffalo Speedway, Suite 1900		Houston	TX	77098	
Luminant Energy Company LLC	c/o Gibson, Dunn & Crutcher LLP	Attn: Michael A. Rosenthal and Michael L. Raiff	2001 Ross Avenue, Suite 2100		Dallas	TX	75201	
Luminant Energy Company LLC	c/o Gibson, Dunn & Crutcher	Attn: Matthew G. Bouslog	3161 Michelson Dr.		Irvine	CA	92612-4412	
Luminant Energy Company LLC	c/o Gibson, Dunn & Crutcher LLP	Attn: Eric T. Haitz	811 Main Street, Suite 3000		Houston	TX	77002-6117	
Macquarie Investments US Inc. & Macquarie Energy LLC	c/o Haynes and Boone LLP	Attn: Chad Mills	1221 McKinney Street, Suite 4000		Houston	TX	77010	
Macquarie Investments US Inc. and Macquarie Energy LLC	c/o Haynes and Boone, LLP	Attn: Kelli S. Norfleet and Arsalan Muhammad	1221 McKinney Street, Suite 4000		Houston	TX	77010	
Meridian Business Centers	c/o Hartman Income REIT Management	Attn: Sara Lynn O'Dell	11811 North Freeway, Ste 160		Houston	TX	77060	
Multiple Injured and Death Case Tort Claimants	c/o Jordan, Holzer & Ortiz, P.C.	Attn: Shelby A. Jordan and Antonio Ortiz	500 North Shoreline Blvd., Suite 900		Corpus Christi	TX	78401	
Office of The United States Trustee	Attn: Hector Duran, Jr. and Stephen Douglas Statham	515 Rusk Street, Suite 3516			Houston	TX	77002	
Official Committee of Unsecured Creditors	c/o McDermott Will & Emery LLP	Attn: Charles R. Gibbs	2501 North Harwood Street, Suite 1900		Dallas	TX	75201-1664	
Official Committee of Unsecured Creditors	c/o McDermott Will & Emery LLP	Attn: Darren Azman and Blaine Adams	340 Madison Ave.		New York	NY	10173-1922	
Oncor Electric Delivery Company LLC	Attn: David R Hunt	1616 Woodall Rodgers			Dallas	TX	75202	
Oncor Electric Delivery Company LLC	Attn: David R Hunt	PO Box 4567			Houston	TX	77210-4567	
Oracle America, Inc.	c/o Buchalter, a Professional Corporation	Attn: Shawn M. Christianson, Esq.	55 Second Street	17th Floor	San Francisco	CA	94105-3493	
Patricia Battaglia	c/o Richard A. Battaglia	PO Box 131276			Houston	TX	77219-1276	
Public Utility Commission of Texas	Attn: David Hoard	1701 N. Congress	PO Box 13326		Austin	TX	78711-3326	
Public Utility Commission of Texas	c/o Office of the Attorney General of Texas	Bankruptcy & Collections Division	Attn: Jason B. Binford; Layla D. Milligan	PO Box 12548- MC 008	Austin	TX	78711-2548	
RLI Insurance Company	Attn: Commercial Surety	9025 N. Lindbergh Dr.			Peoria	IL	61615	
S4S	2500 Broadway F-125	Strong Force Design			Santa Monica	CA	90404	
S4S, LLC	Attn: Charles Cella	12631 Imperial Hwy Ste F126			Santa Fe Springs	CA	90670	
Star Energy Partners	Attn: CEO or General Counsel	30 Post Rd E	# 2		Westport	CT	06880-3404	
State of Texas	Office of The Attorney General	300 W. 15Th St			Austin	TX	78701	
State of Texas	Office of the Attorney General of Texas	c/o Bankruptcy & Collections Division	Attn: Rachel R. Obaldo and Abigail R. Ryan	PO Box 12548 MC008	Austin	TX	78711-2548	
Stripe, Inc.	c/o Legal Department	510 Townsend Street			San Francisco	CA	94103	
Texas Comptroller of Public Accounts	Attn: Bo Overstreet, Section Manager, AP	Lyndon B. Johnson State Office Building	111 East 17th Street		Austin	TX	78744	
Texas Comptroller of Public Accounts	Attn: Bo Overstreet, Section Manager, AP	PO Box 13528	Capitol Station		Austin	TX	78711-3528	
Texas Comptroller of Public Accounts, Revenue Accounting Division	Attn: John Mark Stern, Assistant Attorney General	Bankruptcy & Collections Division MC 008	P.O. Box 12548		Austin	TX	78711-2548	
Texas-New Mexico Power Company	Attn: CEO or General Counsel	577 N Garden Ridge Blvd			Lewisville	TX	75067	
Texas-New Mexico Power Company	c/o Jackson Walker LLP	Attn: Bruce J. Ruzinsky and Tiara E. Seals	1401 McKinney Street, Suite 1900		Houston	TX	77010	
The State of Texas	Attn: Rick Berlin & Dan Zwart	808 Travis Street, Suite 1520			Houston	TX	77002	
The State of Texas	Attn: Ken Paxton, Valeria Sartorio & Steven Robinson	112 E. Pecan Street, Suite 735			San Antonio	TX	78205	
Tort Claimant Customers	c/o Fox Rothschild LLP	Attn: Trey A. Monsour, Esq.	Saint Ann Court	2501 North Harwood Street, Suite 1800	Dallas	TX	75201	
Tort Claimant Customers	c/o Fox Rothschild LLP	Attn: Michael A. Sweet, Esq.	345 California Street	Suite 2200	San Francisco	CA	94104	
William L Gault, Trustee of the Howard W. Gault Trust U/A dated January 27, 1969	Attn: Lee Savelliff	c/o Julia Sterling	4 Sleigh Ridge		Westport	CT	06880	

Exhibit B

**Exhibit B**

Served Via Electronic Mail

Name	Attention	Address 1	Email
AEP Texas Inc.	Attn: Mark Hunt		crrtx@aep.com mdhunt@aep.com
Alpha Employment Solutions	Attn: Penny Vita-Finzi		penny@alpha-employment.com
CCH Incorporated	c/o Wolters Kluwer	Attn: CEO or General Counsel	cch-ar@wolterskluwer.com
CenterPoint Energy, Inc	Attn: Kevin Kulhanek; Jewel Smith		jewel.smith@centerpointenergy.com
Charles Huppert, District Court of Harris County, Texas Case No. 2021-12101; and Thomas Clark, District Court of Harris County, Texas Case No.: 2021-12017	c/o Burnett Law Firm	Attn: Riley L. Burnett, Jr and Karen H. Beyea-Schroeder	Rburnett@rburnettlaw.com karen.schroeder@rburnettlaw.com
Customer #32790			[Address Redacted]
Electric Reliability Council of Texas (ERCOT)	Attn: Phil Mincemoyer		ClientServices@ercot.com
Electric Reliability Council of Texas (ERCOT)	c/o Munsch Hardt Kopf & Harr, P.C.	Attn: Kevin M. Lippman and Deborah M. Perry	klippman@munsch.com dperry@munsch.com
Griddy Technologies LLC, Griddy Holdings LLC, Griddy VI Series A Holdings LLC and Griddy Pro LLC	c/o Akin Gump Strauss Hauer & Feld LLC	Attn: Marty L. Brimmage, Jr. & Patrick G. O'Brien	mbrimmage@akingump.com pobrien@akingump.com
Griddy Technologies LLC, Griddy Holdings LLC, Griddy VI Series A Holdings LLC and Griddy Pro LLC	c/o Akin Gump Strauss Hauer & Feld LLC	Attn: Philip C. Dublin	pdublin@akingump.com
Harris County	c/o Linebarger Goggan Blair & Sampson, LLP	Attn: Tara L. Grundemeier	houston_bankruptcy@publicans.com
Lisa Khoury, et al.	c/o Potts Law Firm, LLP	Attn: Derek H. Potts, J. Ryan Fowler, Batami Baskin	dpotts@potts-law.com rfowler@potts-law.com
Luminant Energy Company LLC	c/o Gibson, Dunn & Crutcher	Attn: Matthew G. Bouslog	MBouslog@gibsondunn.com
Luminant Energy Company LLC	c/o Gibson, Dunn & Crutcher LLP	Attn: Michael A. Rosenthal and Michael L. Raiff	MRosenthal@gibsondunn.com MRaiff@gibsondunn.com
Luminant Energy Company LLC	c/o Gibson, Dunn & Crutcher LLP	Attn: Eric T. Haitz	EHaitz@gibsondunn.com
Macquarie Investments US Inc. & Macquarie Energy LLC	c/o Haynes and Boone LLP	Attn: Chad Mills	chad.mills@haynesboone.com
Macquarie Investments US Inc. and Macquarie Energy LLC	c/o Haynes and Boone, LLP	Attn: Kelli S. Norfleet and Arsalan Muhammad	kelli.norfleet@haynesboone.com arsalan.muhammad@haynesboone.com
Meridian Business Centers	c/o Hartman Income REIT Management	Attn: Sara Lynn O'Dell	sodell@hi-reit.com
Multiple Injured and Death Case Tort Claimants	c/o Jordan, Holzer & Ortiz, P.C.	Attn: Shelby A. Jordan and Antonio Ortiz	sjordan@jhwclaw.com aortiz@jhwclaw.com ecf@jhwclaw.com
Office of The United States Trustee	Attn: Hector Duran, Jr. and Stephen Douglas Statham		Hector.Duran.Jr.@usdoj.gov Stephen.statham@usdoj.gov
Official Committee of Unsecured Creditors	c/o McDermott Will & Emery LLP	Attn: Charles R. Gibbs	crgibbs@mwe.com stperry@mwe.com
Official Committee of Unsecured Creditors	c/o McDermott Will & Emery LLP	Attn: Darren Azman and Blaine Adams	dazman@mwe.com badams@mwe.com
Oncor Electric Delivery Company LLC	Attn: David R Hunt		contactcenter@oncor.com
Oracle America, Inc.	c/o Buchalter, a Professional Corporation	Attn: Shawn M. Christianson	schristianson@buchalter.com
Patricia Battaglia	c/o Richard A. Battaglia		rab@rabpc.com
Public Utility Commission of Texas	Attn: David Hoard		david.hoard@puc.texas.gov

**Exhibit B**

Served Via Electronic Mail

Name	Attention	Address 1	Email
Public Utility Commission of Texas	c/o Office of the Attorney General of Texas	Bankruptcy & Collections Division	jason.binford@oag.texas.gov layla.milligan@oag.texas.gov
RLI Insurance Company	Attn: Commercial Surety		Chrissy.Eaton@rlcorp.com support@rlcorp.com
S4S, LLC	Attn: Charles Cella		charles.cella@strongforce.design
Star Energy Partners	Attn: CEO or General Counsel		info@starenergypartners.com
State of Texas	Office of the Attorney General of Texas	c/o Bankruptcy & Collections Division	rachel.obaldo@oag.texas.gov abigail.ryan@oag.texas.gov
Stripe, Inc.	c/o Legal Department		notices@stripe.com
Texas Comptroller of Public Accounts	Attn: Bo Overstreet, Section Manager, AP		bo.overstreet@cpa.texas.gov
Texas Comptroller of Public Accounts, Revenue Accounting Division	Attn: John Mark Stern, Assistant Attorney General	Bankruptcy & Collections Division MC 008	bk-jstern@oag.texas.gov
Texas-New Mexico Power Company	Attn: CEO or General Counsel		MPRelations@pnmresources.com MPRelations@tnmp.com
Texas-New Mexico Power Company	c/o Jackson Walker LLP	Attn: Bruce J. Ruzinsky and Tiara E. Seals	bruzinsky@jw.com tseals@jw.com
The State of Texas	Attn: Ken Paxton, Valeria Sartorio & Steven Robinson		steven.robinson@oag.texas.gov valeria.sartorio@oag.texas.gov
The State of Texas	Attn: Rick Berlin & Dan Zwart		rick.berlin@oag.texas.gov william.carpenter@oag.texas.gov dan.zwart@oag.texas.gov
Tort Claimant Customers	c/o Fox Rothschild LLP	Attn: Trey A. Monsour, Esq.	tmonsour@foxrothschild.com
Tort Claimant Customers	c/o Fox Rothschild LLP	Attn: Michael A. Sweet, Esq.	msweet@foxrothschild.com
William L Gault, Trustee of the Howard W. Gault Trust U/A dated January 27, 1969	Attn: Lee Saveliff	c/o Julia Sterling	poley@optonline.net

Exhibit C

**UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:)	
)	Chapter 11
)	
GRIDDY ENERGY LLC, ¹)	Case No. 21-30923 (MI)
)	
Debtor.)	
)	

**THE DEBTOR'S EXHIBIT AND
WITNESS LIST FOR JULY 7, 2021 CONFIRMATION HEARING**

The debtor and debtor in possession in the above-captioned case (the “Debtor”) files this Witness and Exhibit List identifying those individuals that may be called as witnesses and exhibits that may be introduced at the hearing scheduled for **Wednesday, July 7, 2021 at 3:00 p.m. (CDT)** (the “Hearing”) before the Honorable Marvin Isgur, United States Courthouse, Courtroom 404, 515 Rusk Street, Houston, Texas 77002.

A. Witnesses

In connecting with the Hearing, the Debtor may call any one or more of the following individuals to provide testimony:

1. Michael Fallquist, Chief Executive Officer of the Debtor;
2. Roop Bhullar, Chief Financial Officer of the Debtor;
3. Tony W. Spencer;
4. Angela Tsai, Director, Corporate Restructuring, Stretto;
5. Any rebuttal and/or impeachment witness;
6. Any witness designated by any other party; and
7. Any witness necessary to authenticate a document.

¹ The last four digits of the Debtor’s federal tax identification number are 1396. The mailing address for the Debtor is PO Box 1288, Greens Farms, CT 06838.

B. Exhibits

In connection with the Hearing, the Debtor may seek to introduce into evidence any one or more of the following documents:

Ex. #	Description	Offered	Objection	Admitted	Disposition
1.	Declaration of Michael Fallquist in Support of Debtor's Motion for Order (A) Approving and Authorizing Debtor to Enter Into Settlement Agreement with the State of Texas and (B) Granting Related Relief [Docket No. 338-2]				
2.	Certificate of Service re: Debtor's Motion for Order (A) Approving and Authorizing Debtor to Enter into Settlement Agreement with the State of Texas and (B) Granting Related Relief and Supplemental Solicitation [Docket No. 343]				
3.	Declaration of Roop Bhullar in Support of Confirmation of the Debtor's Modified Third Amended Plan of Liquidation for Griddy Energy LLC Under Chapter 11 of the Bankruptcy Code [Docket No. 370]				
4.	Expert Report and Declaration of Tony W. Spencer [Docket No. 367]				
5.	Declaration of Angela Tsai on Behalf of Stretto Regarding Solicitation of Votes and Tabulation of Ballots Accepting and Rejecting Modified Third Amended Plan of Liquidation for Griddy Energy LLC Under				

	Chapter 11 of the Bankruptcy Code [Docket No. 363]				
6.	Modified Third Amended Plan of Liquidation for Griddy Energy LLC Under Chapter 11 of the Bankruptcy Code [Docket No. 311]				
7.	Disclosure Statement for Modified Third Amended Plan of Liquidation for Griddy Energy LLC Under Chapter 11 of the Bankruptcy Code [Docket No. 312]				
8.	Certificate of Service re: Solicitation Materials [Docket No. 330]				
9.	Affidavit Re: Publication of the Combined Hearing Notice in the Dallas Morning News [Docket No. 334]				
10.	Affidavit Re: Publication of the Combined Hearing Notice in the Houston Chronicle [Docket No. 335]				
11.	Affidavit Re: Publication of Combined Hearing Notice in The New York Times [Docket No. 336]				
12.	Notice of Filing of Plan Supplement for Modified Third Amended Plan of Liquidation for Griddy Energy LLC Under Chapter 11 of the Bankruptcy Code [Docket No. 345]				
13.	Certificate of Service re: Plan Supplement [Docket No. 350]				
14.	Notice of Filing of Supplement to Plan Supplement for Modified Third Amended Plan of				

	Liquidation for Griddy Energy LLC under Chapter 11 of the Bankruptcy Code [Docket No. 355]				
15.	Certificate of Service re: Supplement to Plan Supplement [Docket No. 371]				
16.	Any exhibit designated by any other party.				
17.	Any pleadings, reports, or other documents filed in the Debtor's bankruptcy cases.				
18.	Any rebuttal or impeachment exhibits.				

The Debtor reserves the right to amend and/or supplement this Witness and Exhibit List at any time prior to the Hearing.

The Debtor reserves the right to use additional exhibits for purposes of rebuttal or impeachment and to further supplement the foregoing lists of witnesses and exhibits as appropriate. The Debtor also reserves the right to rely upon and use as evidence (i) exhibits included on the exhibit lists of any other party in interest, and (ii) any pleading, hearing transcript, order or other document filed with the Court in the chapter 11 case.

[The remainder of this page is intentionally left blank.]

Dated: July 2, 2021
New York, New York

BAKER BOTTS L.L.P.

By: /s/ Chris Newcomb
Robin Spigel (admitted *pro hac vice*)
Robin.Spigel@bakerbotts.com
Chris Newcomb (admitted *pro hac vice*)
Chris.Newcomb@bakerbotts.com
30 Rockefeller Plaza
New York, New York 10012-4498
Telephone: (212) 408-2500
Facsimile: (212) 259-2501

-and-

David R. Eastlake
Texas Bar No. 24074165
David.Eastlake@bakerbotts.com
910 Louisiana Street
Houston, Texas 77002-4995
Telephone: (713) 229-1234
Facsimile: (713) 229-1522

Counsel to the Debtor and Debtor in Possession

Certificate of Service

I certify that on July 2, 2021, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/ Chris Newcomb

Exhibit B

Fallquist Declaration

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re: GRIDDY ENERGY LLC, ¹ <div style="text-align: right;">Debtor.</div>)))))))	Chapter 11 Case No. 21-30923 (MI)
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**DECLARATION OF MICHAEL FALLQUIST IN SUPPORT OF
DEBTOR’S MOTION FOR ORDER (A) APPROVING AND
AUTHORIZING DEBTOR TO ENTER INTO SETTLEMENT AGREEMENT
WITH THE STATE OF TEXAS AND (B) GRANTING RELATED RELIEF**

I, Michael Fallquist, pursuant to 28 U.S.C. § 1746, hereby declare under penalty of perjury that the following is true to the best of my knowledge, information and belief:

1. I am the Chief Executive Officer of Griddy Energy LLC (the “Debtor”) and I am competent in all respects to make this declaration (this “Declaration”), which I submit for all permissible purposes under the Federal Rules of Bankruptcy Procedure, the Federal Rules of Civil Procedure and the Federal Rules of Evidence in support of the *Debtor’s Motion for Entry of an Order (a) Approving and Authorizing Debtor to Enter into Settlement Agreement with the State of Texas and (b) Granting Related relief* (the “Motion”).²

2. I believe that the Debtor’s entry into the Settlement Agreement and related Consent Judgment are a reasonable exercise of the Debtor’s business judgment and is in the best interests of the Debtor’s estate because, although the Debtor denies that it has any liability in respect of the Action, it will resolve the prepetition litigation between the Debtor and the State as well as the

¹ The last four digits of its federal tax identification number of the Debtor are 1396. The mailing address for the Debtor is PO Box 1288, Greens Farms, CT 06838.

² Capitalized terms not otherwise defined herein shall have the same meaning(s) as in the Motion.

CID and lead to significant time and cost savings and avoid objections from the State regarding the Plan.

I declare under penalty of perjury that, to the best of my knowledge and after reasonable inquiry, the foregoing is true and correct.

Dated: June 9, 2021

/s/ Michael Fallquist
Michael Fallquist
Chief Executive Officer
Griddy Energy LLC

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS

In re:)	Chapter 11
)	
Griddy Energy LLC,)	Case No. 21-30923 (MI)
)	
Debtor.)	

CERTIFICATE OF SERVICE

I, Nathaniel Repko, depose and say that I am employed by Stretto, the claims and noticing agent for the Debtor in the above-captioned case.

On June 9, 2021, at my direction and under my supervision, employees of Stretto caused the following documents to be served via first-class mail on the service list attached hereto as **Exhibit A**, and via electronic mail on the service list attached hereto as **Exhibit B**:

- **Debtor's Motion for Order (A) Approving and Authorizing Debtor to Enter into Settlement Agreement with the State of Texas and (B) Granting Related Relief** (Docket No. 338)
- **Corrected Notice of Hearing on Debtor's Motion for Order (A) Approving and Authorizing Debtor to Enter into Settlement Agreement with the State of Texas and (B) Granting Related Relief** (Docket No. 340)

On June 10, 2021, at my direction and under my supervision, employees of Stretto caused the following documents to be served via first-class mail on Customer #189709 at a redacted address:

- **Notice of: (A) Deadline to Cast Votes to Accept or Reject Chapter 11 Plan of the Debtor; (B) Combined Hearing to Consider Approval of Disclosure Statement and Confirmation of the Plan; (C) Deadline to Object to Confirmation; and (D) Related Matters and Procedures** (Docket No. 315)
- **Committee Recommendation to Accept the Chapter 11 Plan of Liquidation** (attached hereto as **Exhibit C**)
- **Ballot for Class 5 – Customer Claims Voting to Accept or Reject Modified Third Amended Plan of Liquidation for Griddy Energy LLC Under Chapter 11 of the Bankruptcy Code** (attached hereto as **Exhibit D**)
- **Notice to All Former Customers of Griddy Energy LLC: Deadline to File Proofs of Claim in Bankruptcy Court** (attached hereto as **Exhibit E**)
- **Former Customer Proof of Claim Form and Instructions** (attached hereto as **Exhibit F**)

On June 15, 2021, at my direction and under my supervision, employees of Stretto caused the following documents to be served via first-class mail on Customer #212134 at a redacted address:

- **Notice to All Former Customers of Griddy Energy LLC: Deadline to File Proofs of Claim in Bankruptcy Court** (attached hereto as **Exhibit E**)
- **Former Customer Proof of Claim Form and Instructions** (attached hereto as **Exhibit F**)

Dated: June 16, 2021

/s/ Nathaniel Repko
Nathaniel Repko
STRETTO
7 Times Square, 16th Floor
New York, NY 10036
855.478.2725
Email: TeamGriddy@Stretto.com